

## Skyler BLACKIE – incident summary.

On 9 March 2019, Skyler BLACKIE, a full-time Fire Fighter employed by the Town of Truro, was fatally injured while undergoing a Level 1 Fire Fighter certification examination at the Nova Scotia Fire Fighter School (NSFS) in Waverly, Nova Scotia.

The training and Certification process is based on the International Fire Service Training Association (IFSTA) "Essentials of Fire Fighting" (sixth addition); found at Chapter 7. The incident happened when BLACKIE was being evaluated on his skill to put out a propane fire using a "dry chemical" type extinguisher. In the scenario, BLACKIE was required to demonstrate his ability to appropriately dress in his Personal Protective Clothing, choose the correct type of extinguisher from a pile, inspect the extinguisher, charge it with propellant, and use it to put out the fire. While the evaluation is taking place, Instructors act as proctors only, and cannot give instruction or advice. A candidate will either receive a pass/fail; with one retry permitted on a fail.

BLACKIE successfully donned his equipment and chose the correct type of extinguisher. He observed some rust on the bottom of the extinguisher but was assured it was alright to use from the instructor/evaluator. However, when he charged the cylinder with propellant (compressed air), the bottom of the extinguisher blew out, and the top of the extinguisher struck him in the facial area, causing a fatal injury.

The extinguisher involved (ANSUL Model IK 20 E) had been donated to the school by the Imperial Oil Refinery when it closed. Its last annual inspection was dated 2014. Its last Hydrostatic Inspection was dated 2004. Both the manufacturer's specifications, and the National Fire Protection Association require hydrostatic testing at 12 year intervals.

In this instance, those tests were out of date by 3+ years.

The investigation by the NS Department of Labour, Skills and Immigration (LSI), who has regulatory authority over Occupational Health and Safety (OHS) Act legislation at workplaces in the province including the NSFS, revealed multiple process and procedural errors that were compounded by failures to communicate critical information to NSFS staff.

As part of the follow-up investigation the extinguisher was inspected by a representative of the manufacturer who advised LSI that the extinguisher would have failed inspection because of the amount of surface rust present.

The person proctoring the certification was never made aware that the extinguisher had never been inspected by the staff person normally responsible to conduct such inspections. Further, the person responsible was on leave at the time and the NSFS never tasked, nor had a process, to have another person responsible to ensure that 1) proper inspections were performed, and 2) that equipment that failed any such inspections were removed from actual or potential use.

As a result of the investigation findings, in November of 2020 the Department laid charges against the NSFS for violations of the OHS Act.

In April 2022 the NSFS pleaded guilty to the charges and was sentenced by the Court.

The sentence imposed included fines and 'creative sentencing' components comprised of an Order to deliver three one-hour safety presentations based on an agreed statements of facts reached between the defense and the Crown.

In addition, the NSFS was ordered to pay a total of \$80,000 to either provide bursaries to students at the NSFS or pay a donation to the Ministers Trust Fund.

The NSFS provided \$14,000 of bursaries to students of their training program in 2023, and paid the Ministers Trust Fund the balance of \$66,000 in 2024 thus completing their sentencing requirements.

#### Post-incident, post-sentencing safety issues at the NSFS.

In December of 2023 LSI received information about ongoing safety concerns at the NSFS and conducted a comprehensive inspection of the premises, including Ordering all records for safe work practices and hazard assessments of tasks and training delivered by NSFS.

This inspection and subsequent documentation received from NSFS pursuant to the Orders issued revealed a substantial list of issues that were not compliant with legislated requirements under the OHS Act.

As of August 2024, these issues are being actively investigated by LSI to ensure compliance with the Act.